

E-Filed 1/18/2010

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FRANCISCO VASQUEZ and JOSE VASQUEZ,

Plaintiffs,

v.

CAL WESTERN RECONVEYANCE
CORPORATION as Trustee for U.S. Bank
National Association as Trustee for First Franklin
Loan Trust through Certificate Series 2006-FF10,
et al.,

Defendant.

Case No. 10-3411-JF/HRL

ORDER¹ LIFTING STAY AND
DENYING PLAINTIFFS' LETTER
REQUEST TO SERVE
DEFENDANTS

On September 9, 2010, the Court denied Plaintiffs' motion for leave to proceed *in forma pauperis*. On October 8, 2010, the Court received notice of Plaintiff's interlocutory appeal challenging the ruling, and thereafter proceedings were stayed pending appeal. On December 15, 2010, the Court received notice from the Court of Appeals that the appeal had been dismissed. On December 30, 2010, Plaintiffs submitted a letter request that the U.S. Marshal's Service serve the defendants. Because leave to proceed *in forma pauperis* has been denied, this letter request cannot be granted.

¹ This disposition is not designated for publication in the official reports.

1 The stay imposed during the pending of the appeal is hereby lifted. Accordingly,
2 Plaintiffs must pay the filing fee in this action not later than February 25, 2011 or the action will
3 be dismissed without prejudice. The Case Management Conference set for February 4, 2011, is
4 hereby continued to March 18, 2011 at 10:30 a.m.

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6 **IT IS SO ORDERED.**

7 DATED: 1/18/2011

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9 JEREMY FOGEL
10 United States District Judge
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Copies of this Order have been served on the following persons:

Francisco Vasquez
PO Box 420
Salinas, CA 93902

Jose Vasquez
PO Box 420
Salinas, CA 93902